

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ASSURED GUARANTY MUNICIPAL
CORPORATION, f/k/a FINANCIAL
SECURITY ASSURANCE INC.,

Plaintiff,

vs.

FLAGSTAR BANK, FSB; FLAGSTAR
CAPITAL MARKETS CORPORATION; and
FLAGSTAR ABS, LLC,

Defendants.

11-CIV-2375 (JSR)

NOTICE OF APPEAL

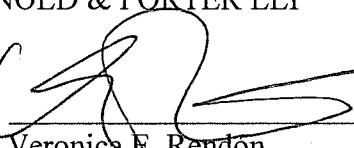
Notice is hereby given that Flagstar Bank, FSB; Flagstar Capital Markets Corporation; and Flagstar ABS, LLC (collectively "Flagstar"), Defendants in the above-captioned case, hereby appeal to the United States Court of Appeals for the Second Circuit from the Final Judgment entered in this action on April 3, 2013, and from all underlying and/or associated orders, including without limitation the Findings of Fact, Conclusions of Law, and Order dated February 5, 2013.

Respectfully submitted,

Dated: New York, NY
April 10, 2013

ARNOLD & PORTER LLP

By:



Veronica E. Rendon

(Veronica.Rendon@aporter.com)

Stewart D. Aaron

(Stewart.Aaron@aporter.com)

399 Park Avenue
New York, NY 10022
(212) 715-1000

*Attorneys for Defendants Flagstar Bank,
FSB; Flagstar Capital Markets Corporation; and
Flagstar ABS, LLC*

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:11-cv-02375-JSR

Assured Guaranty Municipal Corp. v. Flagstar Bank, FSB et al
Assigned to: Judge Jed S. Rakoff
Demand: \$100,000
Related Case: 1:13-cv-00262-JSR
Cause: 28:1332 Diversity–Breach of Contract

Date Filed: 04/07/2011
Jury Demand: None
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

Assured Guaranty Municipal Corp.
formerly known as
Financial Security Assurance Inc.

represented by **Jacob W Buchdahl**
Susman Godfrey LLP (NYC)
560 Lexington Avenue 15th Floor
New York, NY 10022
(212) 336-8330
Fax: (212) 336-8340
Email: jbuchdahl@susmangodfrey.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Arun Srinivas Subramanian
Susman Godfrey LLP (NYC)
560 Lexington Avenue
15th floor
New York, NY 10022
(212) 336-8330
Fax: (212) 336-8340
Email: asubramanian@susmangodfrey.com
ATTORNEY TO BE NOTICED

Jonathan Bridges
Susman Godfrey LLP
901 Main Street, Suite 5100
Dallas, TX 75202
(214) 754-1952
Fax: (214) 754-1933
Email: jbridges@susmangodfrey.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Joseph C. Portera
Susman Godfrey LLP
901 Main Street, Suite 5100
Dallas, TX 75202
(214) 754-1950
Fax: (214) 754-1933
Email: jportera@susmangodfrey.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Manmeet S. Walia
Susman Godfrey LLP
1000 Louisiana St., Suite 5100
Houston, TX 77002
(713) 651-9366
Fax: (713) 654-6666
Email: mwalia@susmangodfrey.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Stephen D. Susman

Susman Godfrey LLP (TX)
1000 Louisiana Street
Suite 5100
Houston, TX 77002
(713)-653-7801
Fax: (713)-654-6666
Email: ssusman@susmangodfrey.com
ATTORNEY TO BE NOTICED

Warren T. Burns
Susman Godfrey LLP
901 Main Street, Suite 5100
Dallas, TX 75202
(214) 754-1928
Fax: (214) 754-1933
Email: wburns@susmangodfrey.com
ATTORNEY TO BE NOTICED

V.

Defendant

Flagstar Bank, FSB

represented by **Veronica Ellen Rendon**
Arnold & Porter, LLP
399 Park Avenue
New York, NY 10022
(212)-715-1165
Fax: (212)-715-1399
Email: veronica_rendon@aporter.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel Marc Kuhn
Arnold & Porter, LLP
399 Park Avenue
New York, NY 10022
(212) 715-1181
Fax: (212) 715-1399
Email: daniel.kuhn@aporter.com
ATTORNEY TO BE NOTICED

Mary Elizabeth Sylvester
Arnold & Porter, LLP
399 Park Avenue
New York, NY 10022
(212) 715-1000
Fax: (212) 715-1399
Email: mary.sylvester@aporter.com
ATTORNEY TO BE NOTICED

Monique Anne Gaylor
Arnold & Porter, LLP
399 Park Avenue
New York, NY 10022
(212) 715-1165
Fax: (212) 715-1399
Email: monique.gaylor@aporter.com
ATTORNEY TO BE NOTICED

Scott M Berman
Friedman Kaplan Seiler & Adelman LLP
7 Times Square
New York, NY 10036
(212)-833-1120
Fax: (212)-373-7920

Email: sberman@fklaw.com
ATTORNEY TO BE NOTICED

Stewart David Aaron
Arnold & Porter, LLP
399 Park Avenue
New York, NY 10022
(212) 715-1000
Fax: 212-715-1399
Email: stewart_aaron@aporter.com
ATTORNEY TO BE NOTICED

Defendant

Flagstar Capital Markets Corporation

represented by **Veronica Ellen Rendon**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel Marc Kuhn
(See above for address)
ATTORNEY TO BE NOTICED

Mary Elizabeth Sylvester
(See above for address)
ATTORNEY TO BE NOTICED

Monique Anne Gaylor
(See above for address)
ATTORNEY TO BE NOTICED

Scott M Berman
(See above for address)
ATTORNEY TO BE NOTICED

Stewart David Aaron
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Flagstar ABS, LLC

represented by **Veronica Ellen Rendon**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel Marc Kuhn
(See above for address)
ATTORNEY TO BE NOTICED

Mary Elizabeth Sylvester
(See above for address)
ATTORNEY TO BE NOTICED

Monique Anne Gaylor
(See above for address)
ATTORNEY TO BE NOTICED

Scott M Berman
(See above for address)
ATTORNEY TO BE NOTICED

Stewart David Aaron
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/07/2011	<u>1</u>	COMPLAINT against Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Filing Fee \$ 350.00, Receipt Number 465401003400) Document filed by Assured Guaranty Municipal Corp.(ama) (ama). (Entered: 04/07/2011)
04/07/2011		SUMMONS ISSUED as to Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (ama) (Entered: 04/07/2011)
04/07/2011		Magistrate Judge Ronald L. Ellis is so designated. (ama) (Entered: 04/07/2011)
04/07/2011		Case Designated ECF. (ama) (Entered: 04/07/2011)
04/07/2011	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Assured Guaranty Ltd. as Corporate Parent. Document filed by Assured Guaranty Municipal Corp.(ama) (ama). (Entered: 04/07/2011)
04/22/2011	<u>3</u>	ORDER FOR INITIAL PRETRIAL CONFERENCE: Initial Conference set for 5/20/2011 at 11:00 AM in Courtroom 14B, 500 Pearl Street, New York, NY 10007 before Judge Jed S. Rakoff. (Signed by Judge Jed S. Rakoff on 4/22/2011) (jpo) (Entered: 04/22/2011)
04/27/2011	<u>4</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. All Defendants. Service was accepted by Pam Major, Administrative Assistant. Document filed by Assured Guaranty Municipal Corp.. (Subramanian, Arun) (Entered: 04/27/2011)
04/28/2011	<u>5</u>	FILING ERROR – ELECTRONIC FILING FOR NON-ECF DOCUMENT – MOTION for Leave to Appear Pro Hac Vice of <i>Warren T. Burns</i> . Document filed by Assured Guaranty Municipal Corp. (Attachments: # <u>1</u> Affidavit Subramanian Affidavit in Support of Motion to Admit Counsel Pro Hac Vice)(Subramanian, Arun) Modified on 4/29/2011 (ldi). (Entered: 04/28/2011)
04/28/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney Arun Srinivas Subramanian to MANUALLY RE-FILE Document No. <u>5</u> Motion to Appear Pro Hac Vice. This document is not filed via ECF. (ldi) (Entered: 04/29/2011)
04/28/2011	<u>6</u>	MOTION for Warren T. Burns to Appear Pro Hac Vice. Document filed by Assured Guaranty Municipal Corp..(mbe) (Entered: 05/03/2011)
05/03/2011		CASHIERS OFFICE REMARK on <u>6</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 04/28/2011, Receipt Number 5274. (jd) (Entered: 05/03/2011)
05/10/2011	<u>7</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>6</u> Motion for Warren T. Burns to Appear Pro Hac Vice. (Signed by Judge Jed S. Rakoff on 5/7/2011) (tro) (Entered: 05/10/2011)
05/20/2011	<u>8</u>	CIVIL CASE MANAGEMENT PLAN: Motion to Dismiss: 5/23 – moving. 6/6 – answering. 6/10 – reply. Oral arg 6/15 at 4 p.m. This Court requires that this case shall be ready for trial on 10/20/11. The case is not to be tried to a jury. Joinder of additional parties must be accomplished by 6/27/11. First request for production of documents, if any, must be served by 5/27/11. Interrogatories pursuant to Rule 33.3 (a) of the Local Civil Rules of the Southern District of New York must be served by 5/27/11. Every party–proponent of a claim (including any counterclaim, cross–claim, or third–party claim) that intends to offer expert testimony in respect of such claim must make the disclosures required by Fed. R. Civ. P. 26(a)(2) by 8/11/11. Every party–opponent of such claim that intends to offer expert testimony in opposition to such claim must make the disclosures required by Fed. R. Civ. P. 26(a)(2) by 8/25/11. All depositions must be completed by 9/15/11. Requests to Admit, if any, must be served by 8/15/11. All discovery is to be completed by 9/15/11. Motion papers 9/29/11, answering papers 10/13/11, and reply papers 10/20/11. A final pre–trial conference as well as oral argument on any post–discovery summary judgment motions, shall be held on 10/27/11 at 4 p.m. (Signed by Judge Jed S. Rakoff on 5/20/2011) (jfe) (Entered: 05/20/2011)

05/23/2011	<u>9</u>	NOTICE OF APPEARANCE by Veronica Ellen Rendon on behalf of Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation (Rendon, Veronica) (Entered: 05/23/2011)
05/23/2011	<u>10</u>	NOTICE OF APPEARANCE by Monique Anne Gaylor on behalf of Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation (Gaylor, Monique) (Entered: 05/23/2011)
05/23/2011	<u>11</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation.(Gaylor, Monique) (Entered: 05/23/2011)
05/23/2011	<u>12</u>	MOTION to Dismiss. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation.(Gaylor, Monique) (Entered: 05/23/2011)
05/23/2011	<u>13</u>	MEMORANDUM OF LAW in Support re: <u>12</u> MOTION to Dismiss.. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Gaylor, Monique) (Entered: 05/23/2011)
05/23/2011	<u>14</u>	DECLARATION of Veronica E. Rendon in Support re: <u>12</u> MOTION to Dismiss.. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Exhibit A–F, # <u>2</u> Exhibit G, # <u>3</u> Exhibit H–M, # <u>4</u> Exhibit N, # <u>5</u> Exhibit O, # <u>6</u> Exhibit P)(Gaylor, Monique) (Entered: 05/23/2011)
05/27/2011	<u>15</u>	MOTION for Manmeet S. Walia to Appear Pro Hac Vice. Document filed by Assured Guaranty Municipal Corp.(sjo) (Entered: 06/06/2011)
06/06/2011	<u>16</u>	MEMORANDUM OF LAW in Opposition re: <u>12</u> MOTION to Dismiss.. Document filed by Assured Guaranty Municipal Corp.. (Buchdahl, Jacob) (Entered: 06/06/2011)
06/06/2011	<u>17</u>	DECLARATION of Jacob W. Buchdahl in Opposition re: <u>12</u> MOTION to Dismiss.. Document filed by Assured Guaranty Municipal Corp.. (Attachments: # <u>1</u> Exhibit A)(Buchdahl, Jacob) (Entered: 06/06/2011)
06/08/2011		CASHIERS OFFICE REMARK on <u>15</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 05/27/2011, Receipt Number 7866. (jd) (Entered: 06/08/2011)
06/08/2011	<u>18</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>15</u> Motion for Manmeet S. Walia to Appear Pro Hac Vice as counsel for Defendant Assured Guaranty Municipal Corp. (Signed by Judge Jed S. Rakoff on 6/7/2011) (ab) (Entered: 06/08/2011)
06/10/2011	<u>19</u>	REPLY MEMORANDUM OF LAW in Support re: <u>12</u> MOTION to Dismiss.. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Gaylor, Monique) (Entered: 06/10/2011)
06/15/2011		Minute Entry for proceedings held before Judge Jed S. Rakoff: Oral Argument held on 6/15/2011 re: <u>12</u> MOTION to Dismiss. filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC. (mbe) (Entered: 06/24/2011)
06/16/2011		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 6/16/2011. (mbe) (Entered: 06/23/2011)
06/22/2011		Minute Entry for proceedings held before Judge Jed S. Rakoff: Oral Argument held on 6/22/2011 re: <u>12</u> MOTION to Dismiss. filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC. (ft) (Entered: 06/29/2011)
06/24/2011	<u>20</u>	TRANSCRIPT of Proceedings re: Conference held on 5/20/2011 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Eve Giniger, (212) 805–0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/18/2011. Redacted Transcript Deadline set for 7/28/2011. Release of Transcript Restriction set for 9/26/2011.(McGuirk, Kelly) (Entered: 06/24/2011)

06/24/2011	<u>21</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 5/20/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 06/24/2011)
07/08/2011	<u>22</u>	ORDER: An Opinion explaining the reasons for these rulings will be issue in due course. The Clerk of Court is directed to close document numbered 12 on the docket of this case. (Signed by Judge Jed S. Rakoff on 7/7/2011) (mbe) (Entered: 07/08/2011)
07/12/2011	<u>23</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 6/22/2011 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 07/12/2011)
07/12/2011	<u>24</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 6/22/2011 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 07/12/2011)
07/12/2011		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 7/12/2011. (ft) (Entered: 07/15/2011)
07/18/2011	<u>25</u>	MOTION in Limine <i>Regarding the Use of Sampling</i> . Document filed by Assured Guaranty Municipal Corp.. Return Date set for 9/8/2011 at 05:00 PM.(Subramanian, Arun) (Entered: 07/18/2011)
07/18/2011	<u>26</u>	MEMORANDUM OF LAW in Support re: <u>25</u> MOTION in Limine <i>Regarding the Use of Sampling</i> .. Document filed by Assured Guaranty Municipal Corp.. (Subramanian, Arun) (Entered: 07/18/2011)
07/18/2011	<u>27</u>	DECLARATION of Arun Subramanian in Support re: <u>25</u> MOTION in Limine <i>Regarding the Use of Sampling</i> .. Document filed by Assured Guaranty Municipal Corp.. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D)(Subramanian, Arun) (Entered: 07/18/2011)
07/27/2011	<u>28</u>	STIPULATION TO EXTEND DEFENDANT'S TIME TO ANSWER COMPLAINT: IT IS THEREFORE HEREBY STIPULATED AND ORDERED: Flagstar shall file and serve its answer no later than July 29,2011 unless Flagstar gives AGM its written consent to amend the Complaint in accordance with Fed. R. Civ. P. 15(a)(2), in which case Flagstar shall answer any amended complaint within the time period set forth in Fed. R. Civ. P. 15(a)(3). Nothing in this stipulation limits Flagstar's ability to withhold consent to AGM's request to seek to amend its complaint. (Flagstar ABS, LLC answer due 7/29/2011; Flagstar Bank, FSB answer due 7/29/2011; Flagstar Capital Markets Corporation answer due 7/29/2011) (Signed by Judge Jed S. Rakoff on 7/26/11) (laq) (Entered: 07/27/2011)
08/03/2011	<u>29</u>	NOTICE OF APPEARANCE by Daniel Marc Kuhn on behalf of Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation (Kuhn, Daniel) (Entered: 08/03/2011)
08/03/2011	<u>30</u>	NOTICE OF APPEARANCE by Mary Elizabeth Sylvester on behalf of Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation (Sylvester, Mary) (Entered: 08/03/2011)
08/08/2011	<u>31</u>	MEMORANDUM OF LAW in Opposition re: <u>25</u> MOTION in Limine <i>Regarding the Use of Sampling</i> .. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Exhibit 1- Declaration of

		Veronica E. Rendon, # <u>2</u> Exhibit A–F of Declaration of Veronica Rendon, # <u>3</u> Exhibit Ex G of Declaration of Veronica Rendon, # <u>4</u> Exhibit Exs H–M of Declaration of Veronica Rendon, # <u>5</u> Exhibit Ex N of Declaration of Veronica Rendon, # <u>6</u> Exhibit Ex O of Declaration of Veronica Rendon, # <u>7</u> Exhibit Ex P of Declaration of Veronica Rendon)(Rendon, Veronica) (Entered: 08/08/2011)
08/08/2011	<u>32</u>	DECLARATION of Daniel M. Kuhn in Support re: <u>31</u> Memorandum of Law in Opposition to Motion,,, Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Exhibit MBIA v Countrywide Amended Complaint, # <u>2</u> Exhibit MBIA v Cntrywide Pls Memo in Support Sampling)(Rendon, Veronica) (Entered: 08/08/2011)
08/08/2011	<u>33</u>	DECLARATION of Brendan P. Burke, Ph.D. in Support re: <u>31</u> Memorandum of Law in Opposition to Motion,,, Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Exhibit A)(Rendon, Veronica) (Entered: 08/08/2011)
08/09/2011		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 8/9/2011. (js) (Entered: 08/17/2011)
08/10/2011	<u>34</u>	TRANSCRIPT of Proceedings re: conference held on 5/20/2011 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Eve Giniger, (212) 805–0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/5/2011. Redacted Transcript Deadline set for 9/15/2011. Release of Transcript Restriction set for 11/11/2011.(Moya, Goretti) (Entered: 08/10/2011)
08/10/2011	<u>35</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 5/20/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Moya, Goretti) (Entered: 08/10/2011)
08/16/2011	<u>36</u>	CIVIL CASE MANAGEMENT PLAN: Ready for Trial by 2/15/2012. The case is not to be tried to a jury. Joinder of Parties due by 6/27/2011. Deposition due by 12/31/2011. All Discovery due by 12/31/2011. Post-discovery summary judgment motions due by 1/9/2012. Responses due by 1/23/2012. Replies due by 2/3/2012. Final Pretrial Conference set for 2/15/2011 at 04:00 PM before Judge Jed S. Rakoff. (Signed by Judge Jed S. Rakoff on 8/15/2011) (ab) (Entered: 08/16/2011)
08/19/2011	<u>37</u>	AMENDED COMPLAINT against Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. Document filed by Assured Guaranty Municipal Corp. (ft) (rdz). (Entered: 08/19/2011)
08/19/2011	<u>38</u>	ANSWER to <u>37</u> Amended Complaint. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation.(Rendon, Veronica) (Entered: 08/19/2011)
08/22/2011	<u>39</u>	REPLY MEMORANDUM OF LAW in Support re: <u>25</u> MOTION in Limine <i>Regarding the Use of Sampling..</i> Document filed by Assured Guaranty Municipal Corp.. (Subramanian, Arun) (Entered: 08/22/2011)
08/22/2011	<u>40</u>	DECLARATION of Jacob W. Buchdahl in Support re: <u>25</u> MOTION in Limine <i>Regarding the Use of Sampling..</i> Document filed by Assured Guaranty Municipal Corp.. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D)(Subramanian, Arun) (Entered: 08/22/2011)
08/22/2011	<u>41</u>	DECLARATION of Dr. Nelson R. Lipshutz in Support re: <u>25</u> MOTION in Limine <i>Regarding the Use of Sampling..</i> Document filed by Assured Guaranty Municipal Corp.. (Subramanian, Arun) (Entered: 08/22/2011)
08/31/2011	<u>42</u>	PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Judge Jed S. Rakoff on 8/30/2011) (jar) (Entered: 08/31/2011)

09/08/2011	<u>43</u>	MEMORANDUM; For the foregoing reasons, the Court hereby reconfirms its Order dated July 7, 2011 granting in part and denying in part Flagstar's motion to dismiss. (Signed by Judge Jed S. Rakoff on 9/7/2011) (cd) (Entered: 09/08/2011)
09/08/2011		Minute Entry for proceedings held before Judge Jed S. Rakoff: Oral Argument held on 9/8/2011. (ft) (Entered: 09/09/2011)
09/13/2011	<u>44</u>	ORDER: withdrawing <u>25</u> Motion in Limine. This Order is to confirm that, the reasons stated in open court, plaintiff Assured Guaranty Municipal Corp. ("AGM") withdrew its "Motion In Limine Regarding the Use of Sampling." The Court notes that AGM's withdrawal of this motion in no way prejudices any party's right to raise, at the appropriate time, the issue of whether AGM may rely on a particular form of sampling evidence to prove its claim. The Clerk of Court is directed to close document numbered 25 on the docket of this case. (Signed by Judge Jed S. Rakoff on 9/12/2011) (ama) Modified on 9/13/2011 (ama). (Entered: 09/13/2011)
09/21/2011		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 9/21/2011. (lmb) (Entered: 09/29/2011)
09/22/2011	<u>45</u>	MOTION for Reconsideration <i>Defendants' Notice of Motion for Reconsideration or Clarification</i> . Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Kuhn, Daniel) (Entered: 09/22/2011)
09/22/2011	<u>46</u>	MEMORANDUM OF LAW in Support re: <u>45</u> MOTION for Reconsideration <i>Defendants' Notice of Motion for Reconsideration or Clarification</i> .. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Kuhn, Daniel) (Entered: 09/22/2011)
10/03/2011	<u>47</u>	MEMORANDUM OF LAW in Opposition re: <u>45</u> MOTION for Reconsideration <i>Defendants' Notice of Motion for Reconsideration or Clarification</i> .. Document filed by Assured Guaranty Municipal Corp.. (Attachments: # <u>1</u> Exhibit A)(Subramanian, Arun) (Entered: 10/03/2011)
10/13/2011	<u>51</u>	MOTION for Joseph C. Portera to Appear Pro Hac Vice. Document filed by Assured Guaranty Municipal Corp..(bwa) Modified on 10/25/2011 (bwa). (pgu). (Entered: 10/25/2011)
10/13/2011	<u>52</u>	MOTION for Jonathan Bridges to Appear Pro Hac Vice. Document filed by Assured Guaranty Municipal Corp..(bwa) (pgu). (Entered: 10/25/2011)
10/20/2011	<u>48</u>	NOTICE OF APPEARANCE by Scott M Berman on behalf of Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation (Berman, Scott) (Entered: 10/20/2011)
10/25/2011	<u>49</u>	TRANSCRIPT of Proceedings re: Argument held on 9/8/2011 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Michael McDaniel, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/18/2011. Redacted Transcript Deadline set for 11/28/2011. Release of Transcript Restriction set for 1/26/2012.(McGuirk, Kelly) (Entered: 10/25/2011)
10/25/2011	<u>50</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Argument proceeding held on 9/8/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 10/25/2011)
10/26/2011		CASHIERS OFFICE REMARK on <u>52</u> Motion to Appear Pro Hac Vice, <u>51</u> Motion to Appear Pro Hac Vice in the amount of \$400.00, paid on 10/25/2011, Receipt Number 1020107,1020108. (jd) (Entered: 10/26/2011)
10/27/2011	<u>53</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>51</u> Motion for Joseph C. Portera to Appear Pro Hac Vice as counsel for Plaintiff Assured Guaranty Municipal Corp. (Signed by Judge Jed S. Rakoff on 10/25/2011) (ab) (Entered: 10/27/2011)

10/27/2011	<u>54</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>52</u> Motion for Jonathan Bridges to Appear Pro Hac Vice as counsel for Plaintiff Assured Guaranty Municipal Corp. (Signed by Judge Jed S. Rakoff on 10/25/2011) (ab) (Entered: 10/27/2011)
10/31/2011	<u>55</u>	ORDER denying <u>45</u> Motion for Reconsideration. The defendants' Motion for Reconsideration or Clarification is denied, except in two respects in which the Court's Memorandum of September 8, 2011 is amended to conform "to the contemporaneous intent of the court." See Robert Lewis Rosen Assocs., Ltd. v. Webb, 473 F.3d 498, 505 n.11 (2d Cir. 2007) and as further set forth in this order. (Signed by Judge Jed S. Rakoff on 10/27/2011) (lmb) (Entered: 10/31/2011)
10/31/2011	<u>56</u>	AMENDED MEMORANDUM: For the foregoing reasons, the Court hereby reconfirms its Order dated July 7, 2011 granting in part and denying in part Flagstar's motion to dismiss. (Signed by Judge Jed S. Rakoff on 10/27/2011) (lmb) (Entered: 10/31/2011)
10/31/2011	<u>57</u>	ORDER FOR ADMISSION PRO HAC VICE: IT IS HEREBY ORDERED that Joseph C. Portera is admitted to practice Pro Hac Vice in the above captioned case in the United States District Court for the Southern District of New York. (Signed by Judge Jed S. Rakoff on 10/30/2011) (lmb) (Entered: 10/31/2011)
10/31/2011	<u>58</u>	ORDER FOR ADMISSION PRO HAC VICE: IT IS HEREBY ORDERED that Jonathan Bridges is admitted to practice Pro Hac Vice in the above captioned case in the United States District Court for the Southern District of New York. (Signed by Judge Jed S. Rakoff on 10/30/2011) (lmb) (Entered: 10/31/2011)
11/04/2011		Minute Entry for proceedings held before Judge Jed S. Rakoff: Discovery Hearing held on 11/4/2011. (mro) (Entered: 12/12/2011)
11/15/2011	<u>59</u>	ORDER: On November 4, 2011, the Court heard oral argument on a discovery dispute between the parties. On November 8, 2011, plaintiff notified defendants and the Court that it was willing to "disclose all documents in its possession pertaining to the individual loans discussed in detail in paragraphs 43–45, 46–48, 49–50, 52, 54, and 56 of the amended complaint." Letter to the Court from Arun Subramanian, Susman & Godfrey, L.L.P. (Nov. 8, 2011). In light of that representation, the Court orders plaintiff to disclose the aforementioned documents and as further set forth in this order. (Signed by Judge Jed S. Rakoff on 11/14/2011) (lmb) (Entered: 11/15/2011)
12/08/2011	<u>60</u>	TRANSCRIPT of Proceedings re: Argument held on 9/8/2011 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Michael McDaniel, (212) 805–0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/3/2012. Redacted Transcript Deadline set for 1/12/2012. Release of Transcript Restriction set for 3/12/2012.(McGuirk, Kelly) (Entered: 12/08/2011)
12/08/2011	<u>61</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Argument proceeding held on 9/8/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 12/08/2011)
12/15/2011	<u>62</u>	TRANSCRIPT of Proceedings re: Conference held on 11/4/2011 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Toni Stanley, (212) 805–0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/9/2012. Redacted Transcript Deadline set for 1/20/2012. Release of Transcript Restriction set for 3/19/2012.(McGuirk, Kelly) (Entered: 12/15/2011)
12/15/2011	<u>63</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 11/4/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request

		Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 12/15/2011)
01/09/2012	<u>64</u>	MOTION for Summary Judgment. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. Responses due by 1/23/2012 Return Date set for 1/15/2013 at 04:00 PM.(Rendon, Veronica) (Entered: 01/09/2012)
01/10/2012	<u>65</u>	DECLARATION of Veronica E. Rendon in Support re: <u>64</u> MOTION for Summary Judgment.. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Exhibit Ex. A to Rendon Declaration, # <u>2</u> Exhibit Ex. B to Rendon Declaration, # <u>3</u> Exhibit Ex. C to Rendon Declaration, # <u>4</u> Exhibit Ex. D to Rendon Declaration, # <u>5</u> Exhibit Ex. E to Rendon Declaration, # <u>6</u> Exhibit Ex. F to Rendon Declaration, # <u>7</u> Exhibit Ex. G to Rendon Declaration, # <u>8</u> Exhibit Ex. H to Rendon Declaration, # <u>9</u> Exhibit Ex. I to Rendon Declaration, # <u>10</u> Exhibit Ex. J to Rendon Declaration, # <u>11</u> Exhibit Ex. K to Rendon Declaration, # <u>12</u> Exhibit Ex. L to Rendon Declaration, # <u>13</u> Exhibit Ex. M to Rendon Declaration, # <u>14</u> Exhibit Ex. N to Rendon Declaration, # <u>15</u> Exhibit Ex. O to Rendon Declaration, # <u>16</u> Exhibit Ex. P to Rendon Declaration, # <u>17</u> Exhibit Ex. Q to Rendon Declaration, # <u>18</u> Exhibit Ex. R to Rendon Declaration, # <u>19</u> Exhibit Ex. S to Rendon Declaration, # <u>20</u> Exhibit Ex. T to Rendon Declaration, # <u>21</u> Exhibit Ex. U to Rendon Declaration, # <u>22</u> Exhibit Ex. V to Rendon Declaration, # <u>23</u> Exhibit Ex. W to Rendon Declaration, # <u>24</u> Exhibit Ex. X to Rendon Declaration, # <u>25</u> Exhibit Ex. Y to Rendon Declaration, # <u>26</u> Exhibit Ex. Z to Rendon Declaration, # <u>27</u> Exhibit Ex. AA to Rendon Declaration, # <u>28</u> Exhibit Ex. BB to Rendon Declaration, # <u>29</u> Exhibit Ex. CC to Rendon Declaration, # <u>30</u> Exhibit Ex. DD to Rendon Declaration, # <u>31</u> Exhibit Ex. EE to Rendon Declaration, # <u>32</u> Exhibit Ex. FF to Rendon Declaration, # <u>33</u> Exhibit Ex. GG to Rendon Declaration, # <u>34</u> Exhibit Ex. HH to Rendon Declaration, # <u>35</u> Exhibit Ex. II to Rendon Declaration, # <u>36</u> Exhibit Ex. JJ to Rendon Declaration, # <u>37</u> Exhibit Ex. KK to Rendon Declaration, # <u>38</u> Exhibit Ex. LL to Rendon Declaration, # <u>39</u> Exhibit Ex. MM to Rendon Declaration, # <u>40</u> Exhibit Ex. NN to Rendon Declaration, # <u>41</u> Exhibit Ex. OO to Rendon Declaration, # <u>42</u> Exhibit Ex. PP to Rendon Declaration, # <u>43</u> Exhibit Ex. QQ to Rendon Declaration, # <u>44</u> Exhibit Ex. RR to Rendon Declaration, # <u>45</u> Exhibit Ex. SS to Rendon Declaration, # <u>46</u> Exhibit Ex. TT to Rendon Declaration, # <u>47</u> Exhibit Ex. UU to Rendon Declaration, # <u>48</u> Exhibit Ex. VV to Rendon Declaration, # <u>49</u> Exhibit Ex. WW to Rendon Declaration, # <u>50</u> Exhibit Ex. XX to Rendon Declaration, # <u>51</u> Exhibit Ex. YY to Rendon Declaration, # <u>52</u> Exhibit Ex. ZZ to Rendon Declaration, # <u>53</u> Exhibit Ex. AAA to Rendon Declaration)(Rendon, Veronica) (Entered: 01/10/2012)
01/10/2012	<u>66</u>	MEMORANDUM OF LAW in Support re: <u>64</u> MOTION for Summary Judgment.. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Rendon, Veronica) (Entered: 01/10/2012)
01/10/2012	<u>67</u>	RULE 56.1 STATEMENT. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Rendon, Veronica) (Entered: 01/10/2012)
01/11/2012	<u>68</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 01/11/2012)
01/20/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 1/20/2012. (mro) (Entered: 01/30/2012)
01/24/2012	<u>69</u>	MEMORANDUM OF LAW in Opposition re: <u>64</u> MOTION for Summary Judgment.. Document filed by Assured Guaranty Municipal Corp.. (Buchdahl, Jacob) (Entered: 01/24/2012)
01/24/2012	<u>70</u>	DECLARATION of Jacob W. Buchdahl in Opposition re: <u>64</u> MOTION for Summary Judgment.. Document filed by Assured Guaranty Municipal Corp.. (Attachments: # <u>1</u> Exhibit A to Buchdahl Declaration, # <u>2</u> Exhibit B to Buchdahl Declaration, # <u>3</u> Exhibit C to Buchdahl Declaration, # <u>4</u> Exhibit D to Buchdahl Declaration, # <u>5</u> Exhibit E to Buchdahl Declaration, # <u>6</u> Exhibit F to Buchdahl Declaration, # <u>7</u> Exhibit G to Buchdahl Declaration, # <u>8</u> Exhibit H to Buchdahl Declaration, # <u>9</u> Exhibit I to Buchdahl Declaration, # <u>10</u> Exhibit J to Buchdahl

		Declaration, # <u>11</u> Exhibit K to Buchdahl Declaration, # <u>12</u> Exhibit L to Buchdahl Declaration, # <u>13</u> Exhibit M to Buchdahl Declaration, # <u>14</u> Exhibit N to Buchdahl Declaration, # <u>15</u> Exhibit O to Buchdahl Declaration, # <u>16</u> Exhibit P to Buchdahl Declaration, # <u>17</u> Exhibit Q to Buchdahl Declaration, # <u>18</u> Exhibit R to Buchdahl Declaration, # <u>19</u> Exhibit S to Buchdahl Declaration, # <u>20</u> Exhibit T to Buchdahl Declaration, # <u>21</u> Exhibit U to Buchdahl Declaration, # <u>22</u> Exhibit V to Buchdahl Declaration, # <u>23</u> Exhibit W to Buchdahl Declaration, # <u>24</u> Exhibit X to Buchdahl Declaration, # <u>25</u> Exhibit Y to Buchdahl Declaration, # <u>26</u> Exhibit Z to Buchdahl Declaration, # <u>27</u> Exhibit AA to Buchdahl Declaration, # <u>28</u> Exhibit BB to Buchdahl Declaration, # <u>29</u> Exhibit CC to Buchdahl Declaration, # <u>30</u> Exhibit DD to Buchdahl Declaration, # <u>31</u> Exhibit EE to Buchdahl Declaration, # <u>32</u> Exhibit FF to Buchdahl Declaration, # <u>33</u> Exhibit GG to Buchdahl Declaration, # <u>34</u> Exhibit HH to Buchdahl Declaration, # <u>35</u> Exhibit II to Buchdahl Declaration, # <u>36</u> Exhibit JJ to Buchdahl Declaration, # <u>37</u> Exhibit KK to Buchdahl Declaration)(Buchdahl, Jacob) (Entered: 01/24/2012)
01/24/2012	<u>71</u>	RULE 56.1 STATEMENT. Document filed by Assured Guaranty Municipal Corp.. (Buchdahl, Jacob) (Entered: 01/24/2012)
01/24/2012	<u>72</u>	SEALED DOCUMENT placed in vault.(nm) (Entered: 01/25/2012)
02/03/2012	<u>73</u>	REPLY MEMORANDUM OF LAW in Support re: <u>64</u> MOTION for Summary Judgment. <i>REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT</i> . Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Rendon, Veronica) (Entered: 02/03/2012)
02/04/2012	<u>74</u>	RULE 56.1 STATEMENT. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Rendon, Veronica) (Entered: 02/04/2012)
02/04/2012	<u>75</u>	DECLARATION of DANIEL M. KUHN in Support re: <u>64</u> MOTION for Summary Judgment.. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Exhibit A – E of Kuhn Declaration, # <u>2</u> Exhibit F of Kuhn Declaration, # <u>3</u> Exhibit G – L of Kuhn Declaration)(Rendon, Veronica) (Entered: 02/04/2012)
02/06/2012	<u>76</u>	TRANSCRIPT of Proceedings re: Hearing held on 11/4/2011 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Michael McDaniel, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/1/2012. Redacted Transcript Deadline set for 3/12/2012. Release of Transcript Restriction set for 5/10/2012.(McGuirk, Kelly) (Entered: 02/06/2012)
02/06/2012	<u>77</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a MOTION proceeding held on 11/4/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 02/06/2012)
02/06/2012	<u>78</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 02/07/2012)
02/15/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Oral Argument held on 2/15/2012 re: <u>64</u> MOTION for Summary Judgment. filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC. (jfe) (Entered: 02/16/2012)
02/16/2012	<u>79</u>	DECLARATION of SUPPLEMENTAL DECLARATION OF VERONICA E. RENDON IN FURTHER SUPPORT OF THE MOTION OF FLAGSTAR BANK, FSB, FLAGSTAR CAPITAL MARKETS CORPORATION AND FLAGSTAR ABS, LLCs MOTION FOR SUMMARY JUDGMENT in Support re: <u>64</u> MOTION for Summary Judgment.. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Exhibit A to V. Rendon Supplemental Declaration, # <u>2</u> Exhibit B to V. Rendon Supplemental

		Declaration, # <u>3</u> Exhibit C to V. Rendon Supplemental Declaration, # <u>4</u> Exhibit D to V. Rendon Supplemental Declaration, # <u>5</u> Exhibit E to V. Rendon Supplemental Declaration)(Rendon, Veronica) (Entered: 02/16/2012)
02/17/2012	80	SEALED DOCUMENT placed in vault.(mps) (Entered: 02/17/2012)
02/21/2012	<u>81</u>	TRANSCRIPT of Proceedings re: Conference held on 2/15/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Eve Giniger, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/16/2012. Redacted Transcript Deadline set for 3/26/2012. Release of Transcript Restriction set for 5/24/2012.(McGuirk, Kelly) (Entered: 02/21/2012)
02/21/2012	<u>82</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 2/15/2012 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 02/21/2012)
02/22/2012	<u>83</u>	RESPONSE in Opposition re: <u>64</u> MOTION for Summary Judgment. <i>February 17, 2012 Letter Response to February 15, 2012 Supplemental Declaration of Veronica E. Rendonn</i> . Document filed by Assured Guaranty Municipal Corp..(Subramanian, Arun) (Entered: 02/22/2012)
03/01/2012	<u>84</u>	ORDER denying <u>64</u> Motion for Summary Judgment. Having carefully considered all the parties written submissions, as well as their oral arguments on February 15, 2012, the Court hereby denies Flagstar's motion for summary judgment. An opinion explaining the reasons for this ruling will issue in due course. The parties are directed to convene a conference call with the Court on March 5, 2012 at 4:00 pm to schedule trial in this case. The Clerk of the Court is directed to close document number 64 on the docket of this case. (Signed by Judge Jed S. Rakoff on 2/29/2012) (ft) (Entered: 03/01/2012)
03/01/2012		Set/Reset Hearings: Telephone Conference set for 3/5/2012 at 04:00 PM before Judge Jed S. Rakoff. (ft) (Entered: 03/01/2012)
05/21/2012	<u>85</u>	Exhibit List. Document filed by Assured Guaranty Municipal Corp..(Subramanian, Arun) (Entered: 05/21/2012)
05/21/2012	<u>86</u>	WITNESS LIST. Document filed by Assured Guaranty Municipal Corp..(Subramanian, Arun) (Entered: 05/21/2012)
05/21/2012	<u>87</u>	NOTICE of Plaintiff's Deposition Designations. Document filed by Assured Guaranty Municipal Corp.. (Subramanian, Arun) (Entered: 05/21/2012)
05/22/2012	<u>88</u>	RULE 26 DISCLOSURE.Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Appendix A, # <u>2</u> Appendix B, # <u>3</u> Appendix C, # <u>4</u> Appendix D, # <u>5</u> Appendix E)(Boccanfuso, Anthony) (Entered: 05/22/2012)
05/25/2012	<u>89</u>	MOTION in Limine <i>DEFENDANTS' NOTICE OF MOTION IN LIMINE TO EXCLUDE THE TESTIMONY OF REBECCA WALZAK CONCERNING ALLEGED SERVICING BREACHES</i> . Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation.(Rendon, Veronica) (Entered: 05/25/2012)
05/25/2012	<u>90</u>	MEMORANDUM OF LAW in Support re: <u>89</u> MOTION in Limine <i>DEFENDANTS' NOTICE OF MOTION IN LIMINE TO EXCLUDE THE TESTIMONY OF REBECCA WALZAK CONCERNING ALLEGED SERVICING BREACHES</i> . Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Rendon, Veronica) (Entered: 05/25/2012)
05/25/2012	<u>91</u>	DECLARATION of Susan Shin in Support re: <u>89</u> MOTION in Limine <i>DEFENDANTS' NOTICE OF MOTION IN LIMINE TO EXCLUDE THE TESTIMONY OF REBECCA WALZAK CONCERNING ALLEGED SERVICING</i>

		<i>BREACHES.. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Exhibit A to D, # <u>2</u> Exhibit E to H, # <u>3</u> Exhibit I Part 1, # <u>4</u> Exhibit I Part 2, # <u>5</u> Exhibit J to L)(Rendon, Veronica)</i> (Entered: 05/25/2012)
05/25/2012	<u>92</u>	MOTION in Limine <i>DEFENDANTS' NOTICE OF MOTION IN LIMINE TO EXCLUDE THE TESTIMONY OF REBECCA WALZAK CONCERNING ALLEGED BREACHES OF REPRESENTATIONS AND WARRANTIES.</i> Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation.(Rendon, Veronica) (Entered: 05/25/2012)
05/25/2012	<u>93</u>	MEMORANDUM OF LAW in Support re: <u>92</u> MOTION in Limine <i>DEFENDANTS' NOTICE OF MOTION IN LIMINE TO EXCLUDE THE TESTIMONY OF REBECCA WALZAK CONCERNING ALLEGED BREACHES OF REPRESENTATIONS AND WARRANTIES..</i> Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Rendon, Veronica) (Entered: 05/25/2012)
05/25/2012	<u>94</u>	DECLARATION of Susan Shin in Support re: <u>92</u> MOTION in Limine <i>DEFENDANTS' NOTICE OF MOTION IN LIMINE TO EXCLUDE THE TESTIMONY OF REBECCA WALZAK CONCERNING ALLEGED BREACHES OF REPRESENTATIONS AND WARRANTIES..</i> Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Rendon, Veronica) (Entered: 05/25/2012)
05/29/2012	<u>95</u>	SEALED DOCUMENT placed in vault.(nm) (Entered: 05/29/2012)
06/01/2012	<u>96</u>	MOTION in Limine <i>And To Exclude Plaintiff's Experts' Testimony.</i> Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation.(Aaron, Stewart) (Entered: 06/01/2012)
06/01/2012	<u>97</u>	MEMORANDUM OF LAW in Support re: <u>96</u> MOTION in Limine <i>And To Exclude Plaintiff's Experts' Testimony..</i> Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Aaron, Stewart) (Entered: 06/01/2012)
06/01/2012	<u>98</u>	DECLARATION of STEWART D. AARON in Support re: <u>96</u> MOTION in Limine <i>And To Exclude Plaintiff's Experts' Testimony..</i> Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Exhibit A PART 1 OF 2, # <u>2</u> Exhibit A PART 2 OF 2, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D – Z, # <u>6</u> Exhibit AA PART 1 OF 2, # <u>7</u> Exhibit AA PART 2 OF 2, # <u>8</u> Exhibit BB, # <u>9</u> Exhibit CC, # <u>10</u> Exhibit DD – FF)(Aaron, Stewart) (Entered: 06/01/2012)
06/01/2012	<u>99</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 06/04/2012)
09/25/2012	<u>100</u>	MEMORANDUM: The Court has considered defendants' additional arguments and finds them without merit. Therefore, for the foregoing reasons, the Court reaffirms its bottom line order denying defendants' motion for summary judgment. Trial of this matter will therefore commence as scheduled, on October 9, 2012 (Signed by Judge Jed S. Rakoff on 9/25/2012) (js) (Entered: 09/25/2012)
10/02/2012	<u>101</u>	MEMORANDUM OF LAW in Opposition re: <u>96</u> MOTION in Limine <i>And To Exclude Plaintiff's Experts' Testimony..</i> Document filed by Assured Guaranty Municipal Corp.. (Buchdahl, Jacob) (Entered: 10/02/2012)
10/02/2012	<u>102</u>	DECLARATION of Jacob Buchdahl in Opposition re: <u>96</u> MOTION in Limine <i>And To Exclude Plaintiff's Experts' Testimony..</i> Document filed by Assured Guaranty Municipal Corp.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B FILED SEPARATELY UNDER SEAL, # <u>3</u> Exhibit C FILED SEPARATELY UNDER SEAL, # <u>4</u> Exhibit D FILED SEPARATELY UNDER SEAL, # <u>5</u> Exhibit E)(Buchdahl, Jacob) (Entered: 10/02/2012)
10/02/2012	<u>103</u>	DECLARATION of Joseph R. Mason in Opposition re: <u>96</u> MOTION in Limine <i>And To Exclude Plaintiff's Experts' Testimony..</i> Document filed by Assured Guaranty Municipal Corp.. (Buchdahl, Jacob) (Entered: 10/02/2012)

10/02/2012	<u>104</u>	DECLARATION of Nelson R. Lipshutz in Opposition re: <u>96</u> MOTION in Limine <i>And To Exclude Plaintiff's Experts' Testimony..</i> Document filed by Assured Guaranty Municipal Corp.. (Buchdahl, Jacob) (Entered: 10/02/2012)
10/02/2012	<u>105</u>	DECLARATION of Rebecca Walzak in Opposition re: <u>96</u> MOTION in Limine <i>And To Exclude Plaintiff's Experts' Testimony..</i> Document filed by Assured Guaranty Municipal Corp.. (Buchdahl, Jacob) (Entered: 10/02/2012)
10/03/2012	106	SEALED DOCUMENT placed in vault.(mps) (Entered: 10/03/2012)
10/04/2012	<u>107</u>	JOINT PRELIMINARY TRIAL REPORT. Document filed by Assured Guaranty Municipal Corp., Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Buchdahl, Jacob) (Entered: 10/04/2012)
10/05/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 10/5/2012. (Kotowski, Linda) (Entered: 10/12/2012)
10/10/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial begun on 10/10/2012. (Kotowski, Linda) (Entered: 11/30/2012)
10/11/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial held on 10/11/2012. (Kotowski, Linda) (Entered: 11/30/2012)
10/12/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial held on 10/12/2012. (Kotowski, Linda) (Entered: 11/30/2012)
10/15/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial held on 10/15/2012. (Kotowski, Linda) (Entered: 11/30/2012)
10/16/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial held on 10/16/2012. (Kotowski, Linda) (Entered: 11/30/2012)
10/17/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial held on 10/17/2012. (Kotowski, Linda) (Entered: 11/30/2012)
10/22/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial held on 10/22/2012. (Kotowski, Linda) (Entered: 11/30/2012)
10/23/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial held on 10/23/2012. (Kotowski, Linda) (Entered: 11/30/2012)
10/25/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial held on 10/25/2012. (Kotowski, Linda) (Entered: 11/30/2012)
10/30/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial held on 10/30/2012. (Kotowski, Linda) (Entered: 11/30/2012)
11/07/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial held on 11/7/2012. (Kotowski, Linda) (Entered: 12/19/2012)
11/08/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial held on 11/8/2012. (Kotowski, Linda) (Entered: 12/19/2012)
11/12/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Bench Trial completed on 11/12/2012. (Kotowski, Linda) (Entered: 12/19/2012)
11/16/2012	<u>108</u>	NOTICE of Request for Reimbursement. Document filed by Assured Guaranty Municipal Corp.. (Attachments: # <u>1</u> Exhibit Summary of Expenses)(Buchdahl, Jacob) (Entered: 11/16/2012)
11/19/2012	<u>109</u>	TRANSCRIPT of Proceedings re: trial held on 10/10/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Jerry Harrison, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)

11/19/2012	<u>110</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 10/10/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>111</u>	TRANSCRIPT of Proceedings re: trial held on 10/11/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>112</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 10/11/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>113</u>	TRANSCRIPT of Proceedings re: trial held on 10/12/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>114</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 10/12/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>115</u>	TRANSCRIPT of Proceedings re: trial held on 10/15/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>116</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 10/15/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>117</u>	TRANSCRIPT of Proceedings re: trial held on 10/16/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>118</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 10/16/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7)

		calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>119</u>	TRANSCRIPT of Proceedings re: trial held on 10/17/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>120</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 10/17/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>121</u>	TRANSCRIPT of Proceedings re: trial held on 10/22/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>122</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 10/22/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>123</u>	TRANSCRIPT of Proceedings re: trial held on 10/23/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>124</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 10/23/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>125</u>	TRANSCRIPT of Proceedings re: trial held on 10/25/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>126</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 10/25/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar

		days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>127</u>	TRANSCRIPT of Proceedings re: trial held on 11/7/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>128</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 11/7/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>129</u>	TRANSCRIPT of Proceedings re: trial held on 11/8/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>130</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 11/8/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>131</u>	TRANSCRIPT of Proceedings re: trial held on 11/12/2012 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/13/2012. Redacted Transcript Deadline set for 12/26/2012. Release of Transcript Restriction set for 2/22/2013.(McGuirk, Kelly) (Entered: 11/19/2012)
11/19/2012	<u>132</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 11/12/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/19/2012)
11/27/2012	<u>133</u>	NOTICE of OBJECTIONS TO PLAINTIFFS REQUEST FOR REIMBURSEMENT OF FEES AND EXPENSES re: <u>108</u> Notice (Other). Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Rendon, Veronica) (Entered: 11/27/2012)
11/30/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 11/30/2012. (Kotowski, Linda) (Entered: 12/19/2012)
12/10/2012	<u>134</u>	RESPONSE re: <u>133</u> Notice (Other), Notice (Other) <i>Response to Defendants' Notice of Objections to Plaintiff's Request for Reimbursement of Fees and Expenses</i> . Document filed by Assured Guaranty Municipal Corp.. (Buchdahl, Jacob) (Entered: 12/10/2012)
02/06/2013	<u>135</u>	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER: In conclusion, the Court hereby grants judgment in favor of Assured on its claims for breach of contract against Flagstar in the amount of \$90.1 million plus contractual interest

		and attorneys' fees and costs to be determined hereafter. (Signed by Judge Jed S. Rakoff on 2/5/2013) (mro) (Entered: 02/06/2013)
02/15/2013	<u>136</u>	ERRATUM: The Court hereby corrects one typographical error in the Findings of Fact, Conclusions of Law, and Order issued in this case on February 5, 2013: (1) On page 103, line 6, the figure "\$90.1 million" is changed to "\$89.2 million." (Signed by Judge Jed S. Rakoff on 2/14/2013) (cd) (Entered: 02/15/2013)
03/04/2013		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 3/4/2013. (Kotowski, Linda) (Entered: 04/04/2013)
03/08/2013	<u>137</u>	Letter addressed to Judge Jed S. Rakoff from Stewart D. Aaron dated 2/21/2013 re: This letter is submitted on behalf of the "Flagstar" defendants, at your Honor's direction following a telephone conference call held at the request of plaintiff. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation.(tro) (Entered: 03/08/2013)
03/08/2013	<u>138</u>	Letter addressed to Judge Jed S. Rakoff from Jacob W. Buchdahl dated 2/21/2013 re: Counsel for plaintiff submit this letter in response to the Court's direction during the 2/14/2013 conference with chambers to submit a letter addressing the issues of expenses prejudgment interest, and pending and future claims. Document filed by Assured Guaranty Municipal Corp..(tro) (Entered: 03/08/2013)
03/08/2013	<u>139</u>	Letter addressed to Judge Jed S. Rakoff from Jacob W. Buchdahl dated 2/28/2013 re: After a full trial on the merits, this Court found that "a huge percentage of the loans in the two pools were defective," Order at 87, and that Flagstar "pervasively breached [its] contractual representations and warranties" to Assured, id. at 91. The Court accepted "Dr. Mason's largely unrebutted testimony that Flagstar would be obligated to reimburse Assured for the entirety of the claims Assured paid under a wide range of defect rates," and aside from \$950,000 in reimbursements, granted Assured damages in the amount of all claims paid as of the most recent Trustee reports available at trial. Document filed by Assured Guaranty Municipal Corp.(tro) (Entered: 03/08/2013)
03/08/2013	<u>140</u>	Letter addressed to Judge Jed S. Rakoff from Stewart D. Aaron dated 2/28/2013 re: This letter is submitted, with reservation of all appellate rights, on behalf of Defendants "Flagstar", in response to the letter brief to your Honor on 2/21/2013 by plaintiff. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation.(tro) (Entered: 03/08/2013)
03/21/2013		Minute Entry for proceedings held before Judge Jed S. Rakoff: Oral Argument held on 3/21/2013 re: <u>138</u> Letter, filed by Assured Guaranty Municipal Corp., <u>140</u> Letter, filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>142</u> Letter,,, <u>139</u> Letter,,, filed by Assured Guaranty Municipal Corp., <u>141</u> Letter,,, filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>137</u> Letter, filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC. (Kotowski, Linda) (Entered: 04/04/2013)
03/29/2013	<u>141</u>	Letter addressed to Judge Jed S. Rakoff from Stewart D. Aaron dated 3/27/2013 re: This letter brief is submitted on behalf of Defendants, Flagstar Bank, FSB, Flagstar Capital Markets Corporation and Flagstar ABS, LLC (collectively "Flagstar"), in response to the Court's invitation at the March 21, 2013 hearing in this matter. For the reasons set forth below, with reservation of all appellate rights, the Court should enter judgment in favor of Assured Guaranty Municipal Corp. ("plaintiff" or "Assured") in the form of the Judgment Flagstar proposed to Your Honor at the March 21 hearing, attached hereto as Exhibit A. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation.(js) Modified on 3/29/2013 (js). (Entered: 03/29/2013)
03/29/2013	<u>142</u>	Letter addressed to Judge Jed. S. Rakoff from Jacob W. Buchadahl dated 3/27/2013 re: Counsel submits this final letter regarding the proper form of judgment in this case pursuant to the Court's direction at the March 21, 2013 argument. Despite the number of pages already devoted to post-trial submissions, not all that much is in dispute: Flagstar has made no serious attempt to demonstrate that Susman Godfrey's contingent fee would be anything other than reasonable in light of (a) the magnitude and complexity of this case and (b) the result obtained by Assured's counsel; Flagstar does not contest the vast majority of Assured's

		expenses; and the difference between the parties' positions relating to various interest calculations amounts to less than half of one percent of the total judgment. (js) (Entered: 03/29/2013)
04/02/2013	<u>143</u>	FINAL JUDGMENT #13,0688 in favor of Assured Guaranty Municipal Corp. against Flagstar ABS, LLC, Flagstar Bank, FSB, and Flagstar Capital Markets Corporation in the amount of \$ 106,517,375.36. (Signed by Judge Jed S. Rakoff on 4/1/13) (Attachments: # <u>1</u> Notice of Right to Appeal)(dt) (Entered: 04/03/2013)
04/10/2013	<u>144</u>	NOTICE OF APPEAL from <u>143</u> Judgment,. Document filed by Flagstar ABS, LLC, Flagstar Bank, FSB, Flagstar Capital Markets Corporation. Filing fee \$ 455.00, receipt number 0208-8406780. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Rendon, Veronica) (Entered: 04/10/2013)
04/10/2013		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>144</u> Notice of Appeal,. (nd) (Entered: 04/10/2013)
04/10/2013		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>54</u> Order on Motion to Appear Pro Hac Vice, <u>30</u> Notice of Appearance filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>77</u> Notice of Filing Transcript, <u>36</u> Case Management Plan, <u>21</u> Notice of Filing Transcript, <u>90</u> Memorandum of Law in Support of Motion, filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>129</u> Transcript, , <u>31</u> Memorandum of Law in Opposition to Motion,, filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>82</u> Notice of Filing Transcript, , <u>25</u> MOTION in Limine <i>Regarding the Use of Sampling</i> . filed by Assured Guaranty Municipal Corp., <u>92</u> MOTION in Limine <i>DEFENDANTS' NOTICE OF MOTION IN LIMINE TO EXCLUDE THE TESTIMONY OF REBECCA WALZAK CONCERNING ALLEGED BREACHES OF REPRESENTATIONS AND WARRANTIES</i> . filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>14</u> Declaration in Support of Motion, filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>126</u> Notice of Filing Transcript, <u>47</u> Memorandum of Law in Opposition to Motion, filed by Assured Guaranty Municipal Corp., <u>93</u> Memorandum of Law in Support of Motion, filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>119</u> Transcript, , <u>140</u> Letter, filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>59</u> Order, , <u>60</u> Transcript, , <u>104</u> Declaration in Opposition to Motion filed by Assured Guaranty Municipal Corp., <u>101</u> Memorandum of Law in Opposition to Motion filed by Assured Guaranty Municipal Corp., <u>94</u> Declaration in Support of Motion, filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>1</u> Complaint filed by Assured Guaranty Municipal Corp., <u>130</u> Notice of Filing Transcript, <u>86</u> Witness List filed by Assured Guaranty Municipal Corp., <u>52</u> MOTION for Jonathan Bridges to Appear Pro Hac Vice. filed by Assured Guaranty Municipal Corp., <u>33</u> Declaration in Support filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>57</u> Order Admitting Attorney Pro Hac Vice, <u>34</u> Transcript, , <u>15</u> MOTION for Manmeet S. Walia to Appear Pro Hac Vice. filed by Assured Guaranty Municipal Corp., <u>117</u> Transcript, , <u>66</u> Memorandum of Law in Support of Motion filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>121</u> Transcript, , <u>43</u> Order, <u>71</u> Rule 56.1 Statement filed by Assured Guaranty Municipal Corp., <u>32</u> Declaration in Support, filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>131</u> Transcript, , <u>39</u> Reply Memorandum of Law in Support of Motion filed by Assured Guaranty Municipal Corp., <u>2</u> Rule 7.1 Corporate Disclosure Statement filed by Assured Guaranty Municipal Corp., <u>83</u> Response in Opposition to Motion, filed by Assured Guaranty Municipal Corp., <u>134</u> Response filed by Assured Guaranty Municipal Corp., <u>88</u> Rule 26 Disclosure filed by Flagstar Capital Markets Corporation, Flagstar Bank, FSB, Flagstar ABS, LLC, <u>42</u> Protective Order, <u>18</u> Order on Motion to Appear Pro Hac Vice, <u>84</u> Order on Motion for Summary Judgment, , <u>100</u> Order, <u>128</u> Notice of Filing Transcript, <u>123</u> Transcript, , <u>5</u> MOTION for Leave to Appear Pro Hac Vice of <i>Warren T. Burns</i> . filed by Assured Guaranty Municipal Corp., <u>118</u> Notice of Filing Transcript, <u>41</u> Declaration in Support of Motion filed by Assured Guaranty Municipal Corp., <u>127</u> Transcript, , <u>96</u> MOTION in Limine <i>And To Exclude</i>

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